

09/558,031

MS147303.01/MSFTP110US

REMARKS

Claims 1-46 are currently pending in the subject application and are presently under consideration. Favorable reconsideration of the subject patent application is respectfully requested in view of the comments herein.

I. Rejection of Claims 1-46 Under 35 U.S.C. §103(a)

Claims 1-46 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Berstis (U.S. 6,785,869). Reconsideration and allowance of these claims is respectfully requested for at least the following reasons. Berstis fails to disclose each and every aspect as recited in the subject claims.

To reject claims in an application under §103, an examiner must establish a *prima facie* case of obviousness. A *prima facie* case of obviousness is established by a showing of three basic criteria. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. See MPEP §706.02(j). The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art and not based on applicant's disclosure. See *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991).

The subject invention provides event-driven systems and methods for deliverance and reception of information. In particular, a communications channel can be automatically created between a client and a server upon an event occurring with respect to the client. To that end, independent claim 1 recites *a client device programmed to create a communications channel in response to selecting an element displayed on a page and to communicate information about the element via the communications channel, the client device displaying on the page definitional information related to the selected element based on response data received via the communications channel; wherein the creation of the communications channel is event driven and responsive to at least one user-generated*

09/558,031

MS147303.01/MSFTP110US

*event*. Thus, for example, if a user receives a web page that includes a term or terms unfamiliar to the user, such user can select the term at the client and cause a communication channel to be created between the client and a server. Information can then be delivered by way of the communication channel from the server to the client and displayed to the user. Berstis does not disclose or suggest the aforementioned claimed aspects (or features recited in claims 14, 27, and 37).

In contrast to the invention as claimed, Berstis discloses a spell check application and/or an acronym expander that can be updated by a user. In more detail, word glossaries can be organized and maintained hierarchically – thus, if a department creates and utilizes a word, then such word can be added to a glossary for the department (and not other departments within a company). In an even more specific example, an engineering department may utilize words/acronyms not employed by a human resource department, and Berstis teaches that a glossary/dictionary can be updated modified for the engineering department (and not for the human resource department). Furthermore, the glossary/dictionary can be maintained upon a server and distributed to clients associated with the server upon a user updating the glossary/dictionary. An advantage of the teachings of Berstis is that a spell-check tool (and/or acronym library) can be updated for any desirably grouping of individuals. Again, however, Berstis fails to teach or suggest *creating a communications channel in response to selecting an element displayed on a page and displaying on the page definitional information related to the selected element based on response data received via the communications channel*. Rather, Berstis teaches activation of a spell-check or acronym tool through selection of a pull-down menu, and upon activation the tool parses a data stream for spelling errors and/or acronyms. If the tool locates a word or acronym that the tool does not recognize, the user can update a glossary/dictionary so that the tool will recognize the word/acronym in the future. Further, the glossary/dictionary can be updated for a particular group of people within an organization. The passages cited by the Examiner describe the functionality of Berstis described above. For instance, Berstis teaches in col. 9, lines 59-62 (and Fig. 10) that dictionary/glossary information can be combined, and col. 11, lines 22-30 and 59-66 describe how a user can update a glossary/dictionary upon a server and how such updates can be disseminated to clients.

The Examiner, concedes, however that Berstis fails to disclose *creating a*

09/558,031

MS147303.01/MSFTP110US

*communications channel in response to selecting an element displayed on a page*, but contends that such aspect would be obvious to one of ordinary skill in the art (despite a lack of teaching or suggestion) since Berstis teaches that the dictionary/glossary can be updated in various ways by a user. Applicants' representative respectfully disagrees, as there is no teaching or suggestion of *selecting an element* in Berstis, much less of *creating a communications channel in response to selecting the element* as claimed. Again, Berstis teaches hierarchical updating of a spell-check or acronym tool, wherein the tool operates in a manner substantially similar to that of a conventional spell-check tool. Thus, rather than *sending first data indicative of the selected element... on a page... via a communications channel and displaying on the page definitional information relating to the at least one selected element based on response data* as recited in independent claim 14, Berstis discloses conventional use of a spell-check tool by mapping words to words in a dictionary/glossary (stored locally on a client). Accordingly, there is no selection of an element, no creation of a communications channel upon selection of the element, and no display of definitional information relating to the element as claimed. Moreover, with respect to claim 2, Berstis cannot disclose creation of a container on a page in response to selection of an element on a page as Berstis fails to disclose selection of any sort of element and, as conceded by the Examiner, further fails to disclose displaying definitional information based on response data received via a communications channel (because there is no teaching in Berstis of response data or a communications channel as is claimed).

As Berstis fails to teach or suggest each and every element of applicants' claimed invention, it is readily apparent that the rejection with respect to claims 1, 14, 27, and 27 (and all claims that depend therefrom) should be withdrawn.

09/558,031

MS147303.01/MSFTP110US

CONCLUSION

The present application is believed to be in condition for allowance in view of the above comments. A prompt action to such end is earnestly solicited.

In the event any fees are due in connection with this document, the Commissioner is authorized to charge those fees to Deposit Account No. 50-1063 [MSFTP110US].

Should the Examiner believe a telephone interview would be helpful to expedite favorable prosecution, the Examiner is invited to contact applicants' undersigned representative at the telephone number below.

Respectfully submitted,

AMIN & TUROCY, LLP



Himanshu S. Amin

Reg. No. 40,894

AMIN & TUROCY, LLP  
24<sup>TH</sup> Floor, National City Center  
1900 E. 9<sup>TH</sup> Street  
Cleveland, Ohio 44114  
Telephone (216) 696-8730  
Facsimile (216) 696-8731